

HONORABLE BENJAMIN H. SETTLE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WILD FISH CONSERVANCY; and WILD
SALMON RIVERS d/b/a THE
CONSERVATION ANGLER,

Plaintiffs,

v.

NATIONAL MARINE FISHERIES
SERVICE; *et al.*,

Defendants.

Case No. 3:24-cv-05296-BHS

PLAINTIFFS' UNOPPOSED MOTION TO
EXTEND INITIAL DEADLINES AND
ORDER

NOTE ON MOTION CALENDAR:
September 24, 2024

MOTION

Plaintiffs Wild Fish Conservancy and The Conservation Angler (collectively, the
“Conservation Groups”) hereby move the Court under Federal Rule of Civil Procedure 6(b) to
extend the initial deadlines set in this matter.

The Court has set the following deadlines:

<u>Case Obligation</u>	<u>Deadline</u>
Deadline for FRCP 26(f) Conference:	September 27, 2024
Initial Disclosures Pursuant to FRCP 26(a)(1) Deadline:	October 4, 2024
Combined Joint Status Report and Discovery Plan as Required by FRCP 26(f) and Local Civil Rule 26(f) Deadline:	October 11, 2024

Dkt. 51. The Conservation Groups and defendants State of Washington Department of Fish and Wildlife officials (“WDFW”) filed a motion for entry of a consent decree on September 19, 2024 that will, if granted, resolve the Conservation Groups’ claim against WDFW. Dkt. 64. On September 20, 2024, federal defendants National Marine Fisheries Service, et al. (“Federal Defendants”) filed a motion to dismiss or, in the alternative, to stay the litigation. Dkt. 65. Defendants State of Oregon Department of Fish and Wildlife officials (“ODFW”) also filed a motion to dismiss on September 20, 2024. Dkt. 68. The Conservation Groups seek to extend the initial deadlines identified above until after the Court resolves these pending motions.

Good cause exists for the relief requested herein. *See* Fed. R. Civ. P. 6(b). Specifically, the Conservation Groups seek to delay efforts on case scheduling until the pending motions identified above are resolved because those motions could affect the scope of the case and the scheduling needs. The Conservation Groups request that the Court extend the deadlines as follows:

<u>Case Obligation</u>	<u>Deadline</u>
Deadline for FRCP 26(f) Conference:	14 days following the Court’s rulings on the motions to dismiss or, if a stay is granted, 14 days following the expiration of the stay
Initial Disclosures Pursuant to FRCP 26(a)(1) Deadline:	21 days following the Court’s rulings on the motions to dismiss or, if a stay is granted, 21 days following the expiration of the stay
Combined Joint Status Report and Discovery Plan as Required by FRCP 26(f) and Local Civil Rule 26(f) Deadline:	28 days following the Court’s rulings on the motions to dismiss or, if a stay is granted, 28 days following the expiration of the stay

Counsel for the Conservation Groups has conferred with counsel for the defendants to this lawsuit, who have stated that their clients do not oppose the relief requested herein. However, Federal Defendants requested that the following statement be included in this motion:

1 Federal Defendants maintain that all of the claims alleged against
2 them are to be reviewed in accordance with the Administrative
3 Procedure Act, based on review of an administrative record, and that
4 they are therefore not required to make initial disclosures under
5 Federal Rule of Civil Procedure 26(a)(1) or participate in a
6 conference required under Federal Rule of Civil Procedure 26(f) in
7 accordance with Federal Rule of Civil Procedure 26(a)(1)(B)(i).

8 The Conservation Groups disagree with Federal Defendants' position stated above.

9 The Conservation Groups respectfully request the Court extend the initial deadlines as
10 requested herein.

11 **LCR 7(e) Certification:** I certify that this memorandum contains 497 words, in
12 compliance with the Local Civil Rules.

13 RESPECTFULLY SUBMITTED this 24th day of September 2024.

14 KAMPMEIER & KNUTSEN, PLLC

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24 *Attorneys for Plaintiffs Wild Fish Conservancy & Wild*
25 *Salmon Rivers d/b/a The Conservation Angler*

ORDER

For the foregoing reasons, IT IS SO ORDERED. The Court hereby extends the initial deadlines, *see* Dkt. 51, as follows:

<u>Case Obligation</u>	<u>Deadline</u>
Deadline for FRCP 26(f) Conference:	14 days following the Court's rulings on the motions to dismiss or, if a stay is granted, 14 days following the expiration of the stay
Initial Disclosures Pursuant to FRCP 26(a)(1) Deadline:	21 days following the Court's rulings on the motions to dismiss or, if a stay is granted, 21 days following the expiration of the stay
Combined Joint Status Report and Discovery Plan as Required by FRCP 26(f) and Local Civil Rule 26(f) Deadline:	28 days following the Court's rulings on the motions to dismiss or, if a stay is granted, 28 days following the expiration of the stay

DATED this 26th day of September, 2024.



BENJAMIN H. SETTLE
United States District Judge